



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of) September 20, 2006
)
EDWARD H. TOBERGTE)
)
Serial No. 10/692,437) Group Art Unit 3765
)
Filed: October 23, 2003)
)
For: FOOTBALL SHOULDER PADS) Examiner: Tejash Patel
) (703) 872-9306

Commissioner for Patents
Mail Stop RCE
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

PRELIMINARY AMENDMENT

Applicant hereby preliminarily amends the claims of the above-identified application. Claims 1-4 have been withdrawn from consideration. Claims 5-27 are pending.

By this amendment, independent claims 5 and 16 are amended as discussed in a telephone interview with the Examiner. Specifically, claim 5 has been amended to include the recitations of claim 6, and claim 6 has been cancelled. The dependency of claims 12 and 13 has been changed. Claim 16 has been amended to more clearly identify that the torso pads are part of shoulder pads.

Accordingly, Applicant believes that these amendments address the issues raised by the Examiner in the June 27, 2006 final office action of the parent application and in the telephone interview. Thus, claims 5-27 should be allowable.

(Docket 3313)

I hereby certify that this paper is being deposited with the U. S. Postal Service with sufficient postage as first class mail addressed to Commissioner for Patents, Mail Stop RCE, P. O. Box 1450 Alexandria, Virginia 22313-1450
Date of Deposit - September 20, 2006
Ginnie C. Derusse
Ginnie C. Derusse, P. O. Reg. No. 35,855